

4-7-9 Dealers -- Records mandated -- Records subject to inspection.

- (1) A dealer who receives livestock for sale or consignment shall promptly record:
- (a) the name and address of the consignor;
 - (b) the date received;
 - (c) the condition and quantity upon arrival;
 - (d) the date of sale for account of the producer-consignor;
 - (e) the sale price;
 - (f) an itemized statement of the charges to be paid by the producer-consignor;
 - (g) the individual or group identification of the livestock;
 - (h) the nature and amount of any claims the dealer has against third persons for overcharges or damages; and
 - (i) if the dealer has a direct or indirect financial interest in the business of the purchaser, or, if the purchaser has a similar financial interest in the business of the dealer, the name and address of the purchaser.
- (2)
- (a) The dealer shall provide a copy of the livestock receipt to the producer immediately upon delivery of the product.
 - (b) The records required by this section shall be retained for a period of one year following the date of consignment and shall be available during business hours for inspection by the department.
 - (c) A consignor involved in a consignment subject to inquiry may inspect relevant records.
- (3)
- (a) A dealer shall file an annual report of the records required under Subsection (1) with the department on a form prescribed and furnished by the department.
 - (b) The dealer shall file the report by April 15 following the end of a calendar year, or if the records are kept on a fiscal year basis, by 90 days after the close of the fiscal year.
 - (c) The commissioner may, for good cause shown or by the commissioner's own motion, grant an extension to the filing deadline under Subsection (3)(b).
 - (d) For purposes of this Subsection (3), "dealer" does not include a packer buyer registered to purchase livestock for slaughter only.
 - (e) The department shall accept reports as required by the Packers and Stockyards Administration for livestock under the Packers and Stockyards Act, 9 C.F.R. Sec. 201.97.
 - (f) The reports required under this Subsection (3) may be subject to audit and establish the basis for bond adequacy.

Amended by Chapter 383, 2011 General Session